

REMARKS

Status Summary

Claims 1-32 are pending in the present application, with claims 1, 9, 14, and 22 presented in independent form. Claims 9-21 are allowed. Claims 6, 7, and 26-28 are objected to as being dependent upon a rejected base claim. Claims 1-5, 8, 22-25, and 29-32 are rejected. Claims 1-13 and 22-32 are amended.

Allowed Subject Matter

Claims 9-21 are allowed. Claims 9-13 are amended merely to address formalities. As such, it will be understood that the scopes of the amended claims have not been narrowed or even changed by this Amendment. Moreover, the rationale underlying the formality changes bears no more than a tangential relation to any equivalent of the amended subject matter. Accordingly, those seeking to interpret these claims should not limit them only to their literal scopes.

Claim Rejections

Claims 1-5, 8, 22-25, and 29-32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,469 to Safai et al. ("Safai"). Applicant's amendments to independent claims 1 and 22 render the rejection moot, and Applicant respectfully requests examination and favorable consideration of the amendments at an early date.

Support for the amendments can be found throughout the application as originally filed and in the paragraph added by this amendment at page 7, line 3, of the specification. The added paragraph includes subject described in co-pending U.S. Patent Application Serial No. 09/626,418, entitled "Method And System For Selecting Actions To Be Taken By A Server When Uploading Images," which is assigned to the

assignee of the present application and which was incorporated by reference into this application upon filing ("the '418 application"). In particular, the subject matter added by this amendment may be found at page 14, lines. 6-15, and at page 15, lines 7-9, of the '418 application. Applicant has merely copied the subject matter from the '418 application, which was properly incorporated by reference, into this application to comply with the written description requirement of 35 U.S.C. § 112, first paragraph. Accordingly, no new matter has been added.

Applicant respectfully asserts that Safai does not teach or suggest "receiving from the server the image identifiers assigned for each of the captured images and action information including as least one action that can be applied by the server to the uploaded images" and "applying the action to at least one of the uploaded images, transmitting the action and the image identifier assigned to the at least one uploaded image, rather than the image itself, from the portable image capture device to the server," as now recited in claim 1.

Nor does teach or suggest "downloading action information to the image capture device including as least one action that can be applied by the server to the uploaded images" and "receiving a request from the portable image capture device to apply the action to at least one of the uploaded images, wherein the request only includes the image identifier assigned to the at least one uploaded image and the requested action," as now recited in claim 22. The subject matter defined by claims 1 and 22 eliminates the need to retransmit an image when performing an action of the image, thus reducing transmission bandwidth.

The remaining rejected claims, which depend either directly or indirectly from claims 1 and 22 are believed to be novel and involve an inventive step over Safai for at least these same reasons.

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CONCLUSION

In view of the above, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited. The Examiner is encouraged to telephone the undersigned patent attorney at the below-listed number if, after reviewing the above Remarks, the Examiner believes outstanding matters remain that may be resolved without the issuance of a subsequent Official Action.

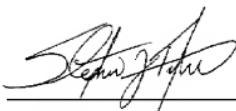
DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, associated with the filing of this paper to Deposit Account No. 50-3512.

Respectfully submitted,

Date: June 22, 2006

By:



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